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Warning labels sought for candy

REP. HONDA RENEWS EFFORT SPARKED BY GEL CANDY DEATHS

By Aaron Davis
Mercury News

U.S. Rep. Mike Honda on Thursday launched a second campaign for a bill requiring warning labels on candy, stemming from the choking deaths of two South Bay children linked to gel candy.

The Food Choking Prevention Act, which last year took a back seat to congressional debates over a war with Iraq, now has bipartisan support and a host of advocacy groups promising victory for the act in Congress.

"A simple notice instructing a parent to chop food into small pieces or refrain from serving certain foods to young children could save many kids' lives," said Bruce Silverglade, legal affairs director for the Center for Science in the Public Interest, a non-profit organization that estimates at least one child dies every five days from choking on candy or other food items.

The bill is co-sponsored by Honda, D-Campbell, and Rep. Mike Ferguson, R-N.J. It aims to cut choking deaths by giving the U.S. Food and Drug Administration the same powers to recall and put warning labels on food and candy as the Consumer Product Safety Commission has concerning toys.

The Mercury News in 2001 first reported the potential dangers of so-called gel candy when coroners' reports revealed that 3-year-old Deven Joncich of Morgan Hill and 11-year-old Michelle Enrile of San Jose died after choking on the same type of candy.

Following the news reports, the deaths of four other children were linked to the candy and the FDA took the unusual step of labeling the candy "unfit for food."

The FDA, however, had no authority to order gel candy removed from store shelves and was forced to engage in a monthslong effort of coaxing store owners and distributors to voluntarily stop selling it.

During that time, a 2-year-old girl in New Jersey choked and died because of gel candy.

The choking act would require the FDA to establish an Office of Choking Hazard Evaluation; grant the FDA authority to require informational labels on food that pose high choking risks to children; and give the agency mandatory recall authority over foods that pose an unacceptable choking risk.

The bill also would require the FDA to establish a national database of food choking incidents in order to more quickly respond to unusual patterns of choking deaths.

Supporters of the bill say they believe two recent court cases that have resulted in gel candy manufacturers being ordered to pay nearly \$70 million in damages could prompt a majority of lawmakers to see the merits of the bill.

A group of food manufacturers also said Monday they have voluntarily begun printing safety notices on food products. Warnings now appear on Kraft's Louis Rich Franks and Oscar Mayer Franks; Creme Savers hard candy and Life Savers Fusions; Hershey's Jolly Rancher hard candy; Mars' Starburst; and Nestle's Wonka Gobstoppers.

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